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JUN 28 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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June 28, 1999


Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Amendment of Section 73.202(b)
FM Table of Allotments
(Mishicot, Wisconsin; Gulliver,
Manistique and Rogers City, Michigan)
(MM Docket No. 99-145; RM-9336)

Dear Ms. Salas:

Transmitted herewith on behalf of Bay-Lakes-Valley Broadcasters, Inc. is an original and four copies of its Comments and Conditional Counterproposal in response to the Notice of Proposed Rule Making and Order to Show Cause, DA 99-868, MM Docket No. 99-145, RM-9336, released May 7, 1999.

Should any questions arise concerning this matter, please contact this office directly.

Sincerely,


John F. Garziglia
Patricia M. Chuh

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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JUN 28 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b),) MM Docket No. 99-145
Table of Allotments,) RM-9336
FM Broadcast Stations.)
(Mishicot, Wisconsin; Gulliver,)
Manistique and Rogers City, Michigan))

To: Chief, Allocations Branch

COMMENTS AND CONDITIONAL COUNTERPROPOSAL

Bay-Lakes-Valley Broadcasters, Inc., the licensee of WGBM(FM), Mishicot, Wisconsin, by its attorneys, hereby submits its Comments and Conditional Counterproposal in response to the Notice of Proposed Rule Making and Order to Show Cause, DA 99-868, MM Docket No. 99-145, RM-9336, released May 7, 1999 ("NPRM").^{1/} The NPRM proposes the substitution of Channel 234C3 for Channel 234A at Mishicot, Wisconsin and the modification of the license of WGBM(FM) to specify operation on Channel 234C3. In order to accommodate the proposed upgrade of WGBM(FM), the NPRM also proposes the substitution of Channel 273C1 for Channel 234C1 at Gulliver, Michigan and the modification of WCMM(FM), Gulliver, Michigan to specify operation on Channel 273C1. In support thereof and also proposing a conditional counterproposal

^{1/} The NPRM established June 28, 1999 as the deadline for filing comments and counterproposals. Accordingly, the instant Comments and Conditional Counterproposal is timely filed.

It is respectfully noted that the NPRM erroneously lists the entity name of the petitioner and the call sign of petitioner's station. The petitioner is "Bay-Lakes-Valley Broadcasters, Inc.", not "Bay-Lakes-Valley Broadcasting, Inc.". The call sign for petitioner's station is "WGBM(FM)", not "WGGM(FM)".

thereto, the following is respectfully submitted for the Commission's consideration:

COMMENTS

1. Bay-Lakes-Valley Broadcasters, Inc. hereby incorporates by reference its October 13, 1998 "Response to Comments and Counterproposal of Ives Broadcasting, Inc." filed in this proceeding in support of the allotment plan proposed in the NPRM ("Allotment Plan"). Bay-Lakes-Valley Broadcasters, Inc. also hereby reaffirms its commitment to reimburse the licensee of WCMM(FM) for the costs incurred in changing frequencies, should the Commission adopt the Allotment Plan. Furthermore, Bay-Lakes-Valley Broadcasters, Inc. also re-certifies its present intention to apply for Channel 234C3 at Mishicot, Wisconsin when allotted, and when authorized to promptly build the modified facilities of WGBM(FM) and commence operation on Channel 234C3.

CONDITIONAL COUNTERPROPOSAL

2. Alternatively, in the event that a conflicting counterproposal is timely filed in this rule making proceeding or for other reasons the allotment plan proposed in the NPRM cannot be adopted, Bay-Lakes-Valley Broadcasters, Inc. hereby proposes the allotment plan originally submitted by Bay-Lakes-Valley Broadcasters, Inc. in its June 26, 1998 Petition for Rule Making, which initiated the instant rule making proceeding, as a conditional counterproposal ("Conditional Counterproposal") (attached).

3. Bay-Lakes-Valley Broadcasters, Inc. hereby alternatively supports the Conditional Counterproposal, which proposes the substitution of Channel 234C3 for Channel 234A at

Mishicot, Wisconsin and the modification of the license of WGBM(FM) to specify operation on Channel 234C3; the substitution of Channel 260C1 for Channel 234C1 at Gulliver, Michigan and the modification of the license of WCMM(FM), Gulliver, Michigan to specify operation on Channel 260C1; the substitution of Channel 227A for Channel 260A at Manistique, Michigan, the amendment of the applications filed by Philip J. Robbins (FCC File No. BPH-970925MY), Todd Stuart Noordyk (FCC File No. BPH-970922ME) and Indian River Broadcasting Company (FCC File No. BPH-970925MG) to each specify Channel 227A, and the modification of the underlying Channel 260A allotment; and the substitution of Channel 292C2 for Channel 260C2 at Rogers City, Michigan and the modification the license of WHAK-FM, Rogers City, Michigan to specify operation on Channel 292C2.

4. In support of the Conditional Counterproposal, Bay-Lakes-Valley Broadcasters, Inc. hereby commits to reimburse the licensees of WCMM(FM) and WHAK-FM, and the applicants of Channel 260A at Manistique, Michigan (Philip J. Robbins,^{2/} Todd Stuart Noordyk, and Indian River Broadcasting Company) for the costs incurred in changing frequencies, should the Commission adopt the Conditional Counterproposal. Bay-Lakes-Valley Broadcasters, Inc. once again certifies its present intention to apply for Channel 234C3 at Mishicot, Wisconsin when allotted, and when authorized to promptly build the modified facilities of WGBM(FM) and commence operation on Channel 234C3.

^{2/} Philip J. Robbins is a principal of Bay-Lakes-Valley Broadcasters, Inc.

5. Bay-Lakes-Valley Broadcasters, Inc. **ONLY** supports the adoption of the Conditional Counterproposal in the event the proposal put forth in the NPRM cannot be adopted for any reason. In the event that subsequent to the deadline for the filing of comments and counterproposals in this proceeding that no conflicting proposals are on file or other impediments to a grant of the proposal set forth in the NPRM exist, in such a case the Conditional Counterproposal should not be considered by the Commission.

WHEREFORE, for the reasons above, the Commission should adopt the Allotment Plan and substitute Channel 234C3 for Channel 234A at Mishicot, Wisconsin and modify the license of WGBM(FM) to specify operation on Channel 234C3, and substitute Channel 273C1 for Channel 234C1 at Gulliver, Michigan and modify the license of WCMM(FM), Gulliver, Michigan to specify operation on Channel 273C1. Alternatively, in the event that conflicting counterproposals are timely filed, the Commission should adopt the allotment plan proposed by the Conditional Counterproposal.

Respectfully submitted,

BAY-LAKES-VALLEY BROADCASTERS, INC.

By: 

John F. Garziglia
Patricia M. Chuh
Its Attorneys

Pepper & Corazzini, L.L.P.
1776 K Street, N.W.
Suite 200
Washington, D.C. 20006
(202) 296-0600

June 28, 1999

Before the
FEDERAL COMMUNICATIONS COMMISSION
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OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket No. _____
Table of Allotments) RM No. _____
FM Broadcast Stations)
(Mishicot, Wisconsin; and)
Gulliver, Manistique, and)
Rogers City, Michigan))

To: Chief, Allocations Branch

PETITION FOR RULE MAKING

Bay-Lakes-Valley Broadcasters, Inc. ("Bay-Lakes-Valley"), the licensee of WGBM(FM), Channel 234A, Mishicot, Wisconsin, pursuant to Section 1.401 of the Commission's rules, hereby seeks the commencement of a rule making proceeding to amend the Table of Allotments for FM Broadcast Stations, 47 C.F.R. §73.202(b), to substitute Channel 234C3 for Channel 234A at Mishicot, Wisconsin and to modify the license of WGBM(FM) to specify operation on Channel 234C3.^{1/} In order to accommodate the proposed upgrade of WGBM(FM), Bay-Lakes-Valley seeks to: (1) substitute Channel 260C1 for Channel 234C1 at Gulliver, Michigan and to modify the

^{1/} Channel 234C3 may be substituted for Channel 234A at reference coordinates 44° 22' 48" North Latitude and 87° 36' 58" West Longitude, which is 15.8 kilometers (9.8 miles) north of Mishicot, Wisconsin. See Attached Channel Studies.

license of WCMM(FM), Gulliver, Michigan to specify operation on Channel 260C1;^{2/} (2) substitute Channel 227A for Channel 260A at Manistique, Michigan and to modify the applications filed by Philip J. Robbins ("Robbins") (FCC File No. BPH-970925MY),^{3/} Todd Stuart Noordyk ("Noordyk") (FCC File No. BPH-970922ME), and Indian River Broadcasting Company ("Indian River") (FCC File No. BPH-970925MG) and the underlying allotment to Channel 260A to specify Channel 227A;^{4/} and (3) substitute Channel 292C2 for Channel 260C2 at Rogers City, Michigan and to modify the license of WHAK-FM, Rogers City, Michigan to specify operation on Channel 292C2^{5/} (collectively, the "Allotment Plan"). As shown in the attached channel studies, Channel 234C3 may be substituted for Channel 234A at Mishicot, Wisconsin in full compliance with the

^{2/} Channel 260C1 may be substituted for Channel 234C1 at reference coordinates 45° 58' 01" North Latitude and 86° 29' 18" West Longitude, which is the existing authorized WCMM(FM), Gulliver, Michigan site. See Attached Channel Studies.

^{3/} Philip J. Robbins is also the principal of Bay-Lakes-Valley Broadcasters, Inc., the petitioner in this petition.

^{4/} Channel 227A may be substituted for Channel 260A at reference coordinates 45° 58' 09" North Latitude and 86° 11' 10" West Longitude for the application filed by Robbins, at 45° 57' 51" North Latitude and 86° 16' 37" West Longitude for the application filed by Noordyk, and at 45° 58' 05" North Latitude and 86° 16' 24" West Longitude for the application filed by Indian River. Each of these sites are the transmitter sites specified in each respective pending Manistique application. See Attached Channel Studies.

^{5/} Channel 292C2 may be substituted for Channel 260C2 at reference coordinates 45° 23' 53" North Latitude and 83° 55' 19" West Longitude, which is the existing authorized WHAK-FM, Rogers City, Michigan transmitter site. See Attached Channel Studies.

Commission's separation requirements if the Allotment Plan is adopted. In support whereof, the following is submitted:

1. Bay-Lakes-Valley requests that the FM Table of Allotments be amended as follows:

<u>Community</u>	<u>Present Channel</u>	<u>Proposed Channel</u>
Mishicot, WI	234A	234C3
Gulliver, MI	234C1	260C1
Manistique, MI	260A	227A
Rogers City, MI	244C2; 260C2	244C2; 292C2

2. Consideration of the instant Allotment Plan is proper because it only proposes the substitution of two other channels occupied by existing FM stations in order to accommodate the upgrade of WGBM(FM). See Columbus, Central City, Crookston, Kearney, Lexington, McCook and Valentine, Nebraska; and Hill City, Kansas, 59 RR 2d 1184 (1986) ("Columbus"). In Columbus, the Commission first established the policy that the Commission's staff would not accept petitions for rule making which involve more than two channel substitutions of channels occupied by existing FM stations absent consent by all but two parties or in the absence of significant public interest benefits. 49 RR 2d at 1185; See Castle Rock, Colorado Springs, Frisco and Salida, Colorado; and Raton, New Mexico, 73 RR 2d 605, 606 (Chief, Policy and Rules Division 1993).

3. Because the substitution of Channel 227A for Channel 260A at Manistique, Michigan involves only pending applications, they are not considered existing stations. See Big Pine Key, Key Colony Beach, Naples and Tice, Florida, 10 FCC Rcd 24, 25 (Chief, Allocations Branch 1994) (authorized but unbuilt FM station is not an existing station); Dyersburg, Tennessee; and Jonesboro, Hoxie and Newport, Arkansas, 2 FCC Rcd 7466 (Chief, Allocations Branch 1987) (outstanding construction permit represents an unbuilt station and as such is not an existing station). Since the proposed station at Manistique, Michigan proposed by the applications of Philip J. Robbins, Todd Stuart Noordyk, and Indian River Broadcasting, Inc. in their respective applications is unbuilt and unauthorized, it is not considered an existing station. Accordingly, the instant Allotment Plan proposes the substitution of channels for only two existing stations [WCMM(FM) and WHAK-FM].

4. Further, the upgrade of WGBM(FM) and the adoption of the Allotment Plan will provide public interest benefits. The Commission's policy favors enhanced service by existing licensees and encourages the improvement of facilities by existing stations. See Amendment of the Commission's Rules Regarding the Modification of FM and Television Station Licenses, 98 FCC 2d 916, 920 (1984); Modification of FM Broadcast Station Rules to Increase the Availability of Commercial FM Broadcast Assignments, 94 FCC 2d 152, 170 (1983).

5. Bay-Lakes-Valley certifies that it will reimburse Great Lakes Radio Incorporated and Ives Broadcasting, Inc., the licensees of WCMM(FM), Gulliver, Michigan and WHAK-FM, Rogers City, Michigan, respectively, for their reasonable expenses incurred in modifying their facilities to operate on the new channels proposed herein.^{6/} Because the Manistique, Michigan channel substitution involves pending applications, no expenses are required to be reimbursed. See Circleville, Ohio, 8 FCC 2d 159 (1967).

6. Bay-Lakes-Valley hereby certifies that it will file an application to specify operation of WGBM(FM), Mishicot, Wisconsin on Channel 234C3 when Channel 234C3 is substituted for Channel 234A, and when authorized, promptly build the facilities and commence operation.

WHEREFORE, for the foregoing reasons, it is respectfully requested that the Commission commence a rule making proceeding to substitute Channel 234C3 for Channel 234A at Mishicot, Wisconsin and modify the license of WGBM(FM) to specify operation on Channel 234C3; substitute Channel 260C1 for Channel 234C1 at Gulliver, Michigan and modify the license of WCMM(FM), Gulliver, Michigan to specify operation on Channel 260C1; substitute Channel 227A for Channel 260A at Manistique, Michigan and order

^{6/} Great Lakes Radio Incorporated and Ives Broadcasting, Inc. are being served with a copies of this Petition for Rule Making.

an amendment of the applications filed by Philip J. Robbins (FCC File No. BPH-970925MY), Todd Stuart Noordyk (FCC File No. BPH-970922ME) and Indian River Broadcasting Company (FCC File No. BPH-970925MG), and modify the underlying Channel 260A allotment, to each specify Channel 227A; and substitute Channel 292C2 for Channel 260C2 at Rogers City, Michigan and modify the license of WHAK-FM, Rogers City, Michigan to specify operation on Channel 292C2.

Respectfully submitted,

BAY-LAKES-VALLEY BROADCASTERS, INC.

By: 

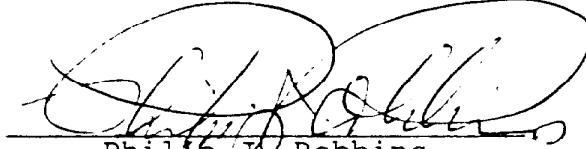
Philip J. Robbins
President

2733 Manitowoc Road
Suite 8B
Green Bay, Wisconsin 54311
(920) 465-3947

June 25, 1998

AFFIDAVIT

I, Philip J. Robbins, do hereby affirm that the statements contained in this rule making petition are true and correct to the best of my knowledge.


Philip J. Robbins

State of Wisconsin
County of Brown

On this the 25th day of June, 1998, before me personally appeared Philip J. Robbins, known to me to be the person whose name subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Julie Mornard
Commission Expires
April 29-2001

ATTACHMENT E-A

PAGE 1 OF 1

FM CHANNEL 234C3 DISTANCE SEPERATION STUDY

LOCATION: MISHICOT, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 234C3
 FREQUENCY: 94.7 MHz.
 ZONE: II
 CLASS: C3
 COORDINATES: 44°-20'-48" N.L., 87°-49'-42" W.L. (MISHICOT REFERENCE COORDINATES)
 APPLICANT: RAY-LAKES-VALLEY BROADCASTERS, INC.
 CALL SIGN: WGBM
 FCC FILE NO: BLH-950103KB
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN ZONE	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. REQ. (KM.) (KM.)
WROE (FM) LIC	NEENAH-MENASHA WI	BLH-950920KB	232C3 94.3	13.00 140.00	44-09-30 88-17-03	260.6	52.23 43.0 9.23 CLEAR
WROE (FM) CP	NEENAH-MENASHA WI	BLH-970529KB	232C3 94.3	2.40 67.00	44-11-50 88-30-30	266.7	69.53 43.0 26.53 CLEAR
WTKI (FM) LIC	MILWAUKEE WI	BLH-7640	233B 94.5	15.50 277.00	43-05-29 87-54-07	189.5	128.99 145.0 -16.01 SHORT#
WGBM (FM) LIC	MISHICOT WI	BLH-950103KB	234A 94.7	6.00 100.00	44-20-30 87-47-10	315.2	16.50 142.0 -125.50 SHORT*
WCMM (FM) LIC	GULLIVER MI	BLH-920228KC	234C1 94.7	100.00 248.00	45-58-01 86-29-18	24.9	212.59 211.0 1.59 CLEAR
WKZC (FM) LIC	SCOTTVILLE MI	BLH-931022KC	235C3 94.9	17.00 122.00	44-03-27 86-24-50	101.1	99.93 99.0 0.93 CLEAR
WLST (FM) LIC	MARINETTE WI	BLH-931206KB	236C1 95.1	100.00 133.00	45-03-48 87-39-26	359.2	91.87 76.0 15.87 CLEAR

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ATTACHMENT E-B

PAGE 1 OF 1

FM CHANNEL 234C3 DISTANCE SEPERATION STUDY

LOCATION: MISHICOT, WISCONSIN
 SERVICE: COMMERCIAL FM
 CHANNEL: 234C3
 FREQUENCY: 94.7 MHz.
 ZONE: II
 CLASS: C3
 COORDINATES: 44°-22'-48" N.L., 87°-36'-58" W.L. (ILLUSTRATIVE SITE COORDINATES)
 PETITIONER: BAY-LAKES-VALLEY BROADCASTERS, INC.
 CALL SIGN: WGBM
 FCC FILE NO: BLH-950103KB
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WROE (FM) LIC	NEENAH-MENASHA WI	BLH-950920KB	232C3 94.3	13.00 140.00	44-09-30 88-17-03	245.4	58.75 15.75	43.0 CLEAR
WROE (FM) CP	NEENAH-MENASHA WI	BLH-970529KB	232C3 94.3	2.40 67.00	44-11-50 88-30-30	245.4	74.06 31.06	43.0 CLEAR
WRTI (FM) LIC	MILWAUKEE WI	BLH-7640	233B 94.5	15.50 277.00	43-05-29 87-54-07	189.2	145.01 0.01	145.0 CLEAR
WGBM (FM) LIC	MISHICOT WI	BLH-950103KB	234A 94.7	6.00 100.00	44-20-30 87-47-10	252.6	14.21 -127.79	142.0 SHORT*
WCMM (FM) LIC	GULLIVER MI	BLH-920226KC	234C1 94.7	100.00 248.00	45-58-01 86-29-18	26.2	197.39 -13.61	211.0 SHORT#
WKZC (FM) LIC	SCOTTVILLE MI	BLH-931022KC	235C3 94.9	17.00 122.00	44-03-27 86-24-58	99.0	102.37 3.37	99.0 CLEAR
WLST (FM) LIC	MARINETTE WI	BLH-931206KB	236C1 95.1	100.00 133.00	45-03-48 87-39-26	357.6	76.01 0.01	76.0 CLEAR

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ATTACHMENT E-C

PAGE 1 OF 1

FM CHANNEL 260C1 DISTANCE SEPERATION STUDY

LOCATION: GULLIVER, MICHIGAN
 SERVICE: COMMERCIAL FM
 CHANNEL: 26C
 FREQUENCY: 99.9 MHz.
 ZONE: II
 CLASS: C1
 COORDINATES: 45°-58'-01" N.L., 86°-29'-18" W.L. (CURRENT SITE COORDINATES)
 APPLICANT: WSHN, INC.
 CALL SIGN: WCMM
 FCC FILE NO: BLH-920228KC
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) HAAT(M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
NEW APP	NEGAUNEE MI	951011MC	258A 99.5	1.85 182.00	46-30-51 87-28-54	308.9	97.83 22.83	75.0 CLEAR
WLTM(FM) LIC	STURGEON BAY WI	BLH-910211KD	259C 99.7	46.00 156.00	44-38-08 87-37-37	211.4	172.83 14.83	158.0 CLEAR
NEW APP	MANISTIQUE MI	BPH-970922ME	260A 99.9	6.00 52.00	45-57-51 96-16-37	91.0	16.39 -183.61	200.0 SHORT#
NEW APP	MANISTIQUE MI	BPH-970925MG	260A 99.9	6.00 100.00	45-58-05 86-16-24	89.5	16.67 -183.33	200.0 SHORT#
NEW ALLOT	MANISTIQUE MI	RM-97-89	260A 99.9	0.00 0.00	45-57-24 96-14-48	93.4	18.77 -181.23	200.0 SHORT#
NEW APP	MANISTIQUE MI	BPH-970925MY	260A 99.9	6.00 63.00	45-58-09 86-11-10	89.3	23.43 -176.57	200.0 SHORT#
WHAK(FM) LIC	ROGERS CITY WI	BLH-940509KD	260C2 99.9	50.00 145.00	45-23-53 83-55-19	106.7	209.70 -14.30	224.0 SHORT#

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ATTACHMENT E-D

PAGE 1 OF 1

FM CHANNEL 292C2 DISTANCE SEPERATION STUDY

LOCATION: ROCERS CITY, MICHIGAN
 SERVICE: COMMERCIAL FM
 CHANNEL: 292C2
 FREQUENCY: 106.3 MHz.
 ZONE: II
 CLASS: C2
 COORDINATES: 45°-23'-53" N.L., 83°-55'-19" W.L. (CURRENT SITE COORDINATES)
 APPLICANT: IVE'S BROADCASTING, INC.
 CALL SIGN: WELG
 FCC FILE NO: BLH-940509KD
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WKHQ(FM) LIC	CHARLEVOIX MI	BLH-781221AR	290C1 105.9	100.00 272.00	43-10-49 85-05-50	255.7	95.33 16.33	79.0 CLEAR
WKPK(FM) LIC	GAYLORD WI	BLH-970529KB	294C1 106.7	100.00 177.00	45-02-42 84-50-44	241.8	82.48 3.48	79.0 CLEAR

ENGINEERING STATEMENT, ATTACHMENT E-D; CONCLUDED.

ATTACHMENT E-E

PAGE 1 OF 1

FM CHANNEL 227A DISTANCE SEPERATION STUDY

LOCATION: MANISTIQUE, MICHIGAN
 SERVICE: COMMERCIAL FM
 CHANNEL: 227
 FREQUENCY: 93.3 MHz.
 ZONE: II
 CLASS: A
 COORDINATES: 45°-57'-24" N.L., 86°-14'-48" W.L. (ALLOTMENT COORDINATES)
 PETITIONER: BAY-LAKES-VALLEY BROADCASTERS, INC.
 CALL SIGN: NONE
 FCC FILE NO: NONE
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WIMK(FM) LIC	IRON MOUNTAIN MI	BLH-820111AE	226C1 93.1	100.00 180.00	45-49-16 88-02-28	264.5	140.10 7.10	133.0 CLEAR
NEW APP	GLEN ARBOR MI	BPH-970724M4	227A 93.3	5.00 109.00	44-51-00 86-03-04	172.9	123.94 8.94	115.0 CLEAR
NEW ALLOT	GLEN ARBOR MI	KM 97-41	227A 93.3	0.00 0.00	44-50-05 86-01-55	172.3	125.82 10.82	115.0 CLEAR
NEW APP	GLEN ARBOR MI	BPH-970724MG	227A 93.3	6.00 100.00	44-49-01 86-02-36	172.3	127.66 12.66	115.0 CLEAR
WBCM(FM) LIC	BOYNE CITY MI	BLH-931014KE	228C2 99.5	14.00 283.00	45-19-27 84-52-44	123.0	127.73 21.73	106.0 CLEAR
WNBY(FM) LIC	NEWBERRY MI	BLH-911101KF	229A 99.7	3.50 80.00	46-18-18 85-30-38	54.8	69.34 30.34	31.0 CLEAR

ENGINEERING STATEMENT, ATTACHMENT E-E, CONCLUDED.

ATTACHMENT E-F

PAGE 1 OF 1

FM CHANNEL 227A DISTANCE SEPERATION STUDY

LOCATION: MANISTIQUE, MICHIGAN
 SERVICE: COMMERCIAL FM
 CHANNEL: 227
 FREQUENCY: 93.3 MHz.
 ZONE: II
 CLASS: A
 COORDINATES: 45°-57'-51" N.L., 86°-16'-37" W.L. (PROPOSED SITE COORDINATES)
 APPLICANT: TODD STUART NOORDYK
 CALL SIGN: NONE
 FCC FILE NO: BPH-970922ME
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) HAAT(M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WIMK(FM) LIC	IRON MOUNTAIN MI	BLH-820111AF	226C1 93.1	100.00 180.00	45-49-16 88-02-28	264.0	137.85 4.85	133.0 CLEAR
NEW APP	GLEN ARBOR MI	BPH-970724M4	227A 93.3	5.00 109.00	44-51-00 86 03-04	171.0	125.08 10.08	115.0 CLEAR
NEW ALLOT	GLEN ARBOR MI	RM 97-41	227A 93.3	0.00 0.00	44-50-05 86-01-55	171.3	126.98 11.98	115.0 CLEAR
NEW APP	GLEN ARBOR MI	BPH-970724MG	227A 93.3	6.00 100.00	44-49-01 86-02-36	171.8	128.81 13.81	115.0 CLEAR
WBCM(FM) LIC	BOYNE CITY MI	BLH-931014KE	228C2 99.5	14.00 283.00	45-19-27 84-52-44	122.7	130.15 24.15	106.0 CLEAR
WNBY(FM) LIC	NEWBERRY MI	BLH-911101KF	229A 99.7	3.50 80.00	46-18-48 85-30-38	56.4	70.80 39.80	31.0 CLEAR

ENGINEERING STATEMENT, ATTACHMENT E-F; CONCLUDED.

ATTACHMENT E-G

PAGE 1 OF 1

FM CHANNEL 227A DISTANCE SEPERATION STUDY

LOCATION: MANISTIQUE, MICHIGAN
 SERVICE: COMMERCIAL FM
 CHANNEL: 227
 FREQUENCY: 93.3 MHz.
 ZONE: II
 CLASS: A
 COORDINATES: 45°-58'-05" N.L., 86°-16'-24" W.L. (PROPOSED SITE COORDINATES)
 APPLICANT: INDIAN RIVER BROADCASTING COMPANY
 CALL SIGN: NONE
 FCC FILE NO: BPH-970925MG
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP (KW) HAAT (M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
WIMK(FM) LIC	IRON MOUNTAIN MI	BLH-820111AE	226C1 93.1	100.00 180.00	45-49-16 88-02-28	263.8	138.17	133.0 5.17 CLEAR
NEW APP	GLEN ARBOR MI	BPH-970724M4	227A 93.3	5.00 109.00	44-51-00 86-03-04	172.0	125.47	115.0 10.47 CLEAR
NEW ALLOT	GLEN ARBOR MI	RM 97-41	227A 93.3	0.00 0.00	44-50-05 86-01-55	171.4	127.37	115.0 12.37 CLEAR
NEW APP	GLEN ARBOR MI	BPH-970724MG	227A 93.3	6.00 100.00	44-49-01 86-02-36	171.9	129.19	115.0 14.19 CLEAR
WBCM(FM) LIC	BOYNE CITY MI	BLH-931014KE	228C2 99.5	14.00 283.00	45-19-27 84-52-44	122.9	130.15	106.0 24.15 CLEAR
WNBY(FM) LIC	NEWBERRY MI	BLH-911101KF	229A 99.7	3.50 80.00	46-18-48 85-30-38	56.6	70.33	31.0 39.33 CLEAR

ENGINEERING STATEMENT, ATTACHMENT E-G; CONCLUDED.

ATTACHMENT E-H

PAGE 1 OF 1

FM CHANNEL 227A DISTANCE SEPERATION STUDY

LOCATION: MANISTIQUE, MICHIGAN
 SERVICE: COMMERCIAL FM
 CHANNEL: 227
 FREQUENCY: 93.3 MHz.
 ZONE: II
 CLASS: A
 COORDINATES: 45°-58'-09" N.L., 86°-11'-10" W.L. (PROPOSED SITE COORDINATES)
 APPLICANT: PHILIP J. ROBBINS
 CALL SIGN: NONE
 FCC FILE NO: BPH-970925MY
 DATE: JUNE 22, 1998

CALL STATUS	CITY STATE	FCC FILE	CHAN. FREQ.	ERP(KW) HAAT(M)	LATITUDE LONGITUDE	BEAR. (DEG.)	DIST. (KM.)	REQ. (KM.)
NEW APP	GLEN ARBOR MI	BPH-970724M4	227A 93.3	5.00 109.00	44-51-00 86-03-04	175.1	124.83 9.83	115.0 CLEAR
NEW ALLOT	GLEN ARBOR MI	RM 97-41	227A 93.3	0.00 0.00	44-50-05 86-01-55	174.5	126.66 11.66	115.0 CLEAR
WIMK(FM) LIC	IRON MOUNTAIN MI	BLH-820111AE	226C1 93.1	100.00 180.00	45-49-16 88-02-28	264.1	144.91 11.91	133.0 CLEAR
NEW APP	GLEN ARBOR MI	BPH-970724MG	227A 93.3	6.00 100.00	44-49-01 86-02-36	175.0	128.54 13.54	115.0 CLEAR
WBCM(FM) LIC	BOYNE CITY MI	BLH-931014KE	228C2 99.5	14.00 293.00	45-19-27 84-52-44	124.7	124.60 24.15	106.0 CLEAR
WNEY(FM) LIC	NEWBERRY MI	BLH-911101KF	229A 99.7	3.50 80.00	46-18-48 85-30-38	53.4	64.72 33.72	31.0 CLEAR

ENGINEERING STATEMENT, ATTACHMENT E-H; CONCLUDED.

CERTIFICATE OF SERVICE

I, Tracey Westbrook, do hereby certify that on this 26th day of June, 1998, copies of the foregoing Petition for Rule Making were mailed, postage prepaid, to the following:

Great Lakes Radio Incorporated
101 Huron Court
Negaunee, MI 49866
(Licensee of WCMM(FM), Gulliver, Michigan)

Philip J. Robbins
2733 Manitowoc Road
Suite 8B
Green Bay, WI 54311
(Applicant for Channel 260A at Manistique, Michigan)

Todd Stuart Noordyk
101 Huron Court
Negaunee, MI 49866
(Applicant for Channel 260A at Manistique, Michigan)

Roy E. Henderson d/b/a Indian River Broadcasting Company
P.O. Box 948
Houston, TX 77001-0948
(Applicant for Channel 260A at Manistique, Michigan)

Ives Broadcasting, Inc.
1491 M-32 West
Alpena, MI 49707
(Licensee of WHAK-FM, Rogers City, Michigan)

Tracey Westbrook
Tracey Westbrook

CERTIFICATE OF SERVICE

I, Dina Etemadi, a secretary in the law firm of Pepper & Corazzini, L.L.P., do hereby certify that true copies of the foregoing "Comments and Conditional Counterproposal" were sent this 28th day of June, 1999 by U.S. first class mail, postage prepaid, to the following:

Great Lakes Radio Incorporated
101 Huron Court
Negaunee, MI 49866
(Licensee of WCMM(FM), Gulliver, Michigan)

Philip J. Robbins
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(Applicant for Channel 260A at Manistique, Michigan)

Todd Stuart Noordyk
101 Huron Court
Negaunee, MI 49866
(Applicant for Channel 260A at Manistique, Michigan)

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Dina Etemadi